

**MINUTES OF THE REGULAR MEETING
OF THE LA SALLE CITY COUNCIL
August 24, 2020**

A regular meeting of the La Salle City Council of La Salle, Illinois was held Monday, August 24, 2020 at 6:30 p.m. Mayor Jeff Grove presiding with proper notices being duly and continuously posted.

The meeting was called to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present- Aldermen Demes, Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane

Excused Absence: None

A quorum was present.

APPROVAL OF MINUTES

Moved by Alderman Demes and seconded by Alderman Reynolds to accept and place on file the Minutes of the Regular Meeting of the City Council held August 10, 2020. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

PRESENTATION

Julie Sloan, Executive Director of the United Way of the Illinois Valley was joined by Board President and Vice President John Vezzetti and Spencer Luecke respectively in recognizing Fire Chief Andy Bacidore as the organization's Volunteer of the Year. Mrs. Sloan read the following statement:

"Each year the United Way awards an individual....or individuals....with recognition of outstanding service/volunteerism.

This is not a task we take lightly as we benefit from the support of many volunteers...each of whom is committed and giving.

The designation as United Way's Volunteer of The Year recognizes that person who goes above and beyond to help others, lending support not only to the organization, but to other members of the volunteer team as well. These are people who inspire us with no expectation of recognition....they simply give for the sake of giving!

The person that was chosen as recipient for this year is certainly all of that and so much more.....service without expectation.....giving support consistently.....leading a team of volunteers to serve beyond themselves....and certainly advancing the greater good!

This individual was instrumental in getting the 8 surrounding community fire departments to come together in helping us reach our goal. This brotherhood of firemen not only continued the camaraderie they've built between themselves and their sister communities....but by putting themselves aside for the evening and thinking only of others....they rallied together and as a team were able to raise over \$13,000.....UW in turn gave the money back out to the community where it is so desperately needed..

United Way would like to announce... and is both proud and honored to bestow this year's award as Volunteer of the Year to Chief Andy Bacidore!"

Andy Bacidore thanked the United Way and said he did not expect this. He accepted the award on behalf of all the departments in the area and the members of the La Salle Fire Department. Chief Bacidore said he was unsure of how many more years he has left with the Fire Department, but will always support United Way as they are instrumental to the area.

Chief Bacidore received a standing ovation from those present.

PETITIONS

Moved by Alderman Ptak and seconded by Alderman Reynolds to grant the request of Darryl Stuggis to address the council regarding a youth focused, community focused center, Voice vote, all ayes. Motion carried.

Mr. Darryl Stuggis explained to the City Council that he is currently in the process of looking for a building in the La Salle area to open a youth center. His mission is "to provide a safe environment for everyone to have fun." Mr. Stuggis then read a prepared statement. (Exhibit #1) which provided more specifics about his background and intentions with the center.

Mr. Stuggis stated that he will follow up with the Mayor and Police Chief as details come together, but he wants to put his focus on the Illinois Valley area. He expects that his proposed youth center would take some burden off the Police Department allowing them to focus on other challenges. Alderman Lavieri asked what age group Mr. Stuggis would be targeting. Mr. Stuggis stated that the center would cater to youth from 7th grade through high school. Mr. Stuggis stated that he had copies of his prepared statement for each of the aldermen. He indicated that he will sit with the Mayor at some point to discuss the necessary requirement to open this type of facility in La Salle and hopes to have the support of the Mayor and City Council. Mayor Grove thanked Mr. Stuggis for addressing the council.

Mary Jo Credi of the Illinois Valley Food Pantry was slated on the agenda to speak to the council, but was unable to be present.

Moved by Alderman Herndon and seconded by Alderman Jeppson to grant the request of the Perfectly Flawed Foundation to place approximately 20 inspirational/motivational signs in the median on Bucklin from the alley behind Beck's Service Station to 9th Street from August 31, 2020 to September 30, 2020 to recognize Overdose Awareness Month. Each and every alderman has a copy.

ROLL CALL: AYE: Aldermen Demes, Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane

NAY: None Absent: None Abstain: None

Motion Carried 8-0

Moved by Alderman Ptak and seconded by Alderman Demes to grant the request of Erin Picton, representing Cub Scout Pack 3703, to sell popcorn as a fundraiser door-to-door and at agreeable businesses including but not limited to IV Foods, Save-A-Lot, Caseys General Store, Beck's and Shell between September 11, 2020 and October 26, 2020. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

After an extended discussion, the request of Tom Stevenson of Geneva Equipment for a new street light at Civic Road and Corporate Drive, was tabled allowing time for further research. The request will be added to the September 8, 2020 meeting agenda.

REPORTS OF CITY OFFICERS

Moved by Alderman Herndon and seconded by Alderman Reynolds to accept and place on file the Monthly Police Income Report for July 2020 showing total fees collected of \$7,973.03. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

COMMUNICATIONS

Moved by Alderman Ptak and seconded by Alderman Lavieri to accept and place on file the Illinois Department of Revenue Report showing sales tax collected for May 2020 of \$66,243.37 and Home Rule Sales Tax of \$54,550.24 for a total of \$120,793.61. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Finance Director Duncan stated that the month of May reflected a 14-16% reduction in sales tax revenue from last year.

Deputy Clerk Brent Bader read a thank you note from Leonard Inda. It was then moved by Alderman Demes and seconded by Alderman Reynolds to accept the communication and place it on file. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Mayor Grove commented that the city has received numerous calls and voicemails complimenting the efforts of the Public Works and Parks Department concerning clean-up after the recent storm. Mayor Grove thanked the all departments involved, as well as our residents for pitching in and helping neighbors to assist with the clean-up efforts.

STANDING COMMITTEES

Moved by Alderman Bacidore and seconded by Alderman Herndon to accept the recommendation of the Streets, Alleys, and Traffic Committee to approve the request of Kyle Thornsborough for a No Outlet sign at the NE corner of Country Aire Avenue and Carlene Drive.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane

NAY: None Absent: None Abstain: None

Motion Carried 8-0

Moved by Alderman Bacidore and seconded by Alderman Ptak to accept the recommendation of the Streets, Alleys and Traffic Committee to grant the request for stop signs, eastbound and westbound, at the intersection of Crosat and Canal Streets.

ROLL CALL: AYE: Aldermen Demes, Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane

NAY: None Absent: None Abstain: None

Motion Carried 8-0

OLD BUSINESS

Moved by Alderman Herndon and seconded by Alderman Crane to accept and place on file the recommendation of the Board of Fire and Police Commission to hire Jared Sadnick and

Nicholas Burr to the positions of patrolman in the City of La Salle. Each and every alderman has a copy.

ROLL CALL: AYE: Aldermen Demes, Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane

NAY: None Absent: None Abstain: None

Motion Carried 8-0

Chief Smudzinski stated that both candidates will need to complete Police Academy, which will begin October 15, but in the interim the candidates will spend some time at the station getting acclimated.

NEW BUSINESS

Alderman Crane mentioned that he has received complaints regarding individuals trespassing on private property in Vermilionvue Subdivision, sometimes at night, as a means to access Prairie Lake at Rotary Park. In addition, he was notified that residents have been awoken by ATVs in the early hours of the morning in this same area. Alderman Crane expressed his concern not only for the safety of the residents in this area, but for the lake itself. He indicated that the lake cannot be patrolled by the Conservation Police, so there is no way to control limits of fish being caught and removed. Alderman Crane stated that this can destroy the ecosystem of the lake.

Chief Smudzinski, who resides in this subdivision, stated that he receives one or two calls a month from residents expressing the same complaints Alderman Crane cited. He stated that there are two problems, trespassing and disregarding the 10 p.m. park closing time. Mayor Grove suggested that these residents call the Police Department directly versus calling the Chief or their alderman.

Leah Inman, who also resides in the subdivision, has witnessed the ATVs in the early hours of the morning. Alderman Crane conveyed his concern for the safety of those who venture to the lake, as emergency vehicles would have a difficult time accessing the lake in the event of an emergency. Mayor Grove stated that the City does have permission to use an individual's land to access the lake in the event of a medical emergency, but soon, once our grant is received, there will be access from Rotary Park. Mayor Grove asked Alderman Crane what he suggests we do about this. Alderman Crane stated that he was unsure. The resident he spoke to suggested closing the lake until access is established, but the council was unsure how that could actually be achieved. Discussion followed. Leah Inman suggested that the park closing time of 10 p.m. be enforced more strictly. Chief Smudzinski mentioned that the resident who spoke to Alderman Crane currently has a small "No Trespassing" sign on his private property, but believes a larger sign could be helpful. Attorney McPhedran reiterated the Mayor's sentiments in regard to the necessity for residents to call the police if there are individuals accessing the lake after park closing or trespassing on private property. He, too, thought better signage was a good idea. There was also brief discussion about fencing in the area, but it was determined there is a fence in certain portions that may be down in areas.

At this time, there is no way to access the lake other than through private property. City Engineer Brian Brown indicated that he has been told that individuals are also accessing the lake off of 24th Street and also unloading ATVs. City Engineer Brown said it has to be stopped because the city will be adding the access path soon. He said ATVs are forbidden by ordinance on city property.

It was suggested that the city could add additional signage on its property regarding park closing hours, trespassing violations and reminding residents that ATVs are forbidden by ordinance on city streets and property. It was suggested that a sign could also be placed at 24th Street making it clear that it is not a lake access point. Attorney McPhedran stated that formal action cannot be taken this evening because the item was not on the agenda.

Attorney McPhedran stated that it is a safety issue for the residents, as well as the individuals going to the lake, so it needs to be addressed.

Alderman Bacidore suggested that tickets need to be issued for those using ATVs in the area.

It was then moved by Alderman Bacidore and seconded by Alderman Jeppson to refer the issues to the Streets, Alleys, and Traffic Committee for further discussion.

Alderman Bacidore announced that a meeting of the committee will be held immediately following the Finance Committee on Tuesday, September 8, 2020.

ORDINANCES/RESOLUTIONS

Moved by Alderman Demes and seconded by Alderman Reynolds to approve and place on file
Ordinance 2895: Further Regulating “Fireworks” within the City of La Salle, La Salle County, Illinois. Each and every alderman has a copy.

ROLL CALL: AYE: Aldermen Demes, Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane

NAY: None Absent: None Abstain: None

Motion Carried 8-0

Ordinance 2895: An Ordinance Further Regulating “Fireworks” within the City of La Salle, La Salle County, Illinois

Moved by Alderman Ptak and seconded by Alderman Lavieri to approve and place on file
Ordinance 2896: An Ordinance Setting the Compensation of the City Clerk of the City of La Salle, Illinois. Each and every alderman has a copy.

ROLL CALL: AYE: Aldermen Demes, Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane

NAY: None Absent: None Abstain: None

Motion Carried 8-0

Ordinance 2896: An Ordinance Setting the Compensation of the City Clerk of the City of La Salle, Illinois.

Note: The City Clerk’s compensation will take effect after the upcoming April 2021 election.

Prior to voting on the ordinance, Chris Tomsha from Illinois Valley Animal Rescue asked to address the council. It was moved by Alderman Bacidore and seconded by Alderman Herndon to grant the request. Ms. Tomsha stated that she was blindsided by a letter she received recently notifying her that the city is considering implementing a \$1,000 fine for stray dogs. Ms. Tomsha asked for clarification as to the protocols for IVAR. She wondered what she is expected to do when she gets a call directly about a stray dog.

Mayor Grove asked her what she does currently in those situations. She explained that her normal procedure is to take the dog to the shelter, ascertain who the owner is, contact them, and then when the dog is picked up she asks the owner for a donation to her organization. The Mayor responded that she should continue with that same procedure. Ms. Tomsha asked if the city, in those instances, wants to be notified in order for to keep some type of record. Mayor Grove explained that the main concern is not with dogs who get away, and are quickly retrieved, but for address issues where the police get involved or an alderman reports a dog on the loose. Ms. Tomsha asked what is going to justify the \$1,000 fine.

Mayor Grove said in his mind, the fine is justified if it can prevent another child from being flown to Peoria with injuries sustained in a dog attack or if it saves a dog from being killed by a larger dog. She replied by asking, "So, this is not just stray dogs?" Mayor Grove said he is not as concerned about stray dogs that he knows are not going to hurt someone and always hopes their owner is found. He said, for those situations that are not dangerous in nature, he is not as concerned.

Alderman Reynolds summarized by saying that we have animal owners who are "not responsible and lax and this fine is intended for those who are more than lenient and not doing the job they should be doing as owners of animals."

Alderman Herndon asked if the ordinance under consideration expresses what Alderman Reynolds just stated.

Alderman Demes responded by saying he brought up this issue after there were two recent attacks on Chartres Street involving children, with the second attack resulting in the child being taken away by ambulance. At the council meeting where this was being discussed, it was concluded that the problem is not the dog, it is the irresponsible owner. In this case, the same dog, came off the same porch, with the same owner sitting there. That is very irresponsible. Alderman Demes said that he proposed an increased fine to \$1,000 for unleashed dogs. The police officer can make the call when he goes on the scene as to the severity of the situation. Alderman Demes also wanted to stress that in addition to the fine, he wants the ordinance to require a mandatory appearance in ordinance court. Alderman Demes said we cannot sit here and do nothing, so if we hit them in the pocketbook it may help. Chris Tomsha said she was just not sure of the protocols. She said she was under the impression if your dog gets out two or three times, you are nailed for the high fine and she just did not think that was right.

Alderman Demes asked Ms. Tomsha if it would be possible for her to issue La Salle tags to any dogs that are adopted or fostered through IVAR. She said she would be happy to do so if the city provides her with some tags and forms. However, Ms. Tomsha mentioned that she recently called the city in regard to a dog with a La Salle city tag number to find out the owner's name based on the tag number. She said she was told that the City did not have that information. Deputy Clerk Brent Bader reported that he just completed digitizing all the city dog tags so now it should not be an issue determining an owner based on the tag number.

Attorney McPhedran stated that the City appreciates all the work IVAR does. Mayor Grove concurred as currently there is only one person in the county handling animal control, so we appreciate the partnership.

Alderman Bacidore said he still does not understand the \$1,000 fine, as those that are irresponsible are not going to pay the fine anyway. Mayor Grove responded by stating the city has means to collect unpaid fines through individuals tax return.

Alderman Bacidore continued by saying that the responsible person whose boxer gets loose and does not injure anyone, will be the type of person who would pay the fine. Alderman Bacidore stated that in regard to the irresponsible dog owners, it does not matter what the fine is because they will not pay it and it will not stop the dog bites. Mayor Grove disagreed and said it is not about making money, our goal is to change behavior.

Alderman Herndon proposed changing the language in the ordinance to read "up to \$1,000", as this will leave the discretion to the administrative court. He said he believes this will be misplayed, similar to the ordinance passed some years ago regarding parking on grass. The ordinance was meant for one purpose which was to keep people from parking cars on lawns, but turned into tickets being issued for cars that were parked on part grass, part gravel. Like that ordinance, Alderman Herndon stated that "this ordinance will be abused as there are people and brand new officers who may not be familiar with the ordinance or prominent families who will tell the Mayor they are not going to pay the fine and then we will have a problem." Mayor Grove responded by saying that it doesn't matter if it is a prominent family or not, we have to be fair across the board.

Alderman Herndon continued by saying that all dogs go into heat and get out at some point. He said there are older people who the only thing they have is their dog. Alderman Herndon also added that there are families and children who have nothing, so their dog means the world to those kids.

Alderman Demes responded "this is not about the dog, it is about the irresponsible owner."

Alderman Herndon replied to Alderman Demes saying "it doesn't affect you so you don't care."

Alderman Herndon stated that bottom line, we are on the right track with vicious and dangerous dogs and we are on the right track with leashing for dangerous and vicious dogs, but he added "for a yorkie or a poodle or a shih tzu or a beagle that gets away, we are going down the wrong road."

Alderman Herndon cited a recent conversation he overheard at the Country Kitchen. He overheard a lady who had no idea he was an alderman state that "La Salle City officials have lost touch with the taxpayers."

Alderman Demes then questioned Alderman Herndon asking him if he would be able to sit up there and feel confident we did everything in our power when the next kids gets attacked.

Alderman Bacidore responded again that the fine amount is not going to stop it. Alderman Demes challenged Aldermen Bacidore and Alderman Herndon to come up with a solution.

Heatedly, Alderman Herndon replied saying that he agreed with everything Alderman Demes is saying if he would just listen to him and not have his blinders on. He said the only difference is that he thinks there should be an "up to" \$1,000 clause.

Alderman Demes said if you leave it as \$150-\$750, it will always be \$150. Demes said it is rare that anyone is given a ticket at the high end of the fine range. Alderman Demes said when that double dog attack took place, he wanted to attend the administrative hearing in person to demand that the highest fine was given to that individual. That individual ended up paying a \$200 fine that he mailed in without being expected to appear in ordinance court.

Alderman Herndon replied that the discretion should be in the hands of the police, the administrative court, the Police Chief, the council, and Attorney McPhedran.

Alderman Bacidore agreed with Alderman Herndon and stated that it should be \$150 up to \$1,000, giving the discretion to the police. Mayor Grove said the police already have that discretion as they have the option to issue a warning or issue a ticket.

Moved by Alderman Bacidore and seconded by Alderman Herndon to approve and place on file **Ordinance 2897**: An Ordinance being an Amendment to the City Ordinances Regulating the Keeping of Dogs and Cats in the City of La Salle, La Salle County, Illinois with the caveat that the amended ordinance includes the wording \$150 up to \$1,000 for unleashed dogs, with it being a must appear ticket with the default of a \$1,000 ticket for failure to appear. Each and every alderman has a copy.

ROLL CALL: AYE: Mayor Grove, Aldermen Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane

NAY: Alderman Demes Absent: None Abstain: None

Motion Carried 7-1 (Mayor Grove voted aye)

Ordinance 2897: An Ordinance being an Amendment to the City Ordinances Regulating the Keeping of Dogs and Cats in the City of La Salle, La Salle County, Illinois.

Attorney McPhedran stated that the judge in the Ordinance court will be the person to make the final decision on the fine amount and it will be made clear to the officers that this is a must appear ticket. Individuals will not have the option to pay the ticket ahead of time. The officers will have the option to provide input to the court. If a proper continuance is not secured by the individual, the \$1,000 fine will be assessed. Chief Smudzinski said he was agreeable to this.

COMMENTS

Mayor Grove recognized all departments for their efforts to clean up from the storm. Mayor thanked Lynda Kasik and her staff for their efforts running the pool this summer and providing some normalcy for our children. Mayor Grove recognized Leah Inman and Brent Bader who were hired on with the City in the height of the Covid crisis which pushed their roles to the limit. He thanked them, as well as John Duncan, for their efforts in keeping both the public and businesses aware of the options out there for them. He also thanked Carrie Brown who worked with Brent during that timeframe to train him on his new position.

Alderman Reynolds stated that residents putting garbage out too early is a continued problem, as well as residents placing loose garbage in cans. The garbage blows and residents are not cleaning it up off the streets and yards. In addition, he is also noticing cars parking in the grass. Brief discussion followed. Mayor Grove said that when the City's garbage contract is up, we most likely will have to get the totes at an increased cost.

APPROVAL OF BILLS

Moved by Alderman Ptak and seconded by Alderman Lavieri to accept, pay and place on file bills for August 24, 2020 with Total submitted of \$832,310.47 (Total Payroll \$180,152.04, Bills to be Paid \$112,821.67, Total Bills Paid \$539,336.76)

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane

NAY: None Absent: None Abstain: None

Motion carried 8-0

Moved by Alderman Reynolds and seconded by Alderman Crane to adjourn the meeting.
Voice vote, all ayes. Motion is carried.

ADJOURNED 7:36 p.m.



Carrie Brown, City Clerk